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13 BETTER HOMES REALTY, INC.

14 UNITED STATES DISTRICT COURT  
15  
16 NORTHERN DISTRICT OF CALIFORNIA

17 BETTER HOMES REALTY, INC.,

18 Plaintiff,

19 v.

20 LAWRENCE VECCHIO, VRI REALTY,  
21 INC.,

22 Defendants.

CASE No. C07 3058 PJH

**STIPULATION & [PROPOSED] ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE, INITIAL DISCLOSURE  
PERIOD, AND ADR CERTIFICATION**

1 WHEREAS the Initial Case Management Conference in this action is currently scheduled  
2 for January 3, 2008;

3 WHEREAS, initial disclosures are currently scheduled to be made on, and the Joint Case  
4 Management Statement must currently be filed by, December 27, 2007;

5 WHEREAS, the ADR Certification must currently be filed on December 20, 2007;

6 WHEREAS plaintiff BETTER HOME REALTY, INC. ("Plaintiff") and Defendants  
7 LAWRENCE VECCHIO and VRI REALTY, INC. ("Defendants") by and through their  
8 principals, have been, and are still, negotiating the details of a comprehensive settlement  
9 agreement, which will incorporate both a licensing agreement and a franchise agreement;

10 WHEREAS, Plaintiff has provided draft documentation to Defendant's counsel, and both  
11 Plaintiff and Defendant wish to continue with their negotiations regarding the licensing and  
12 franchise agreements and are optimistic that such an agreement will result in settlement of the  
13 entire action;

14 WHEREAS, during the pendency of their negotiations, Plaintiff and Defendants both  
15 desire to avoid the additional attorneys' fees and costs of preparing initial disclosures, drafting a  
16 Joint Case Management Statement, selecting a form of ADR, and appearing at the Case  
17 Management Conference;

18 THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and Defendants,  
19 through their respective counsel of record, that the Initial Case Management Conference be  
20 continued to Thursday, February 7, 2008 at 2:30 p.m. in Courtroom 2, the Hon. Phyllis J.  
21 Hamilton presiding.

22 IT IS FURTHER STIPULATED that initial disclosure due date and the due date for filing  
23 the Joint Case Management Statement, respectively, be continued to January 31, 2008, and that  
24 the due date for filing the ADR Certification be continued to January 24, 2008.  
25  
26

1 Dated: December 20, 2007

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2  
3 By: /s/\_\_\_\_\_  
4 Paul E. Gaspari, Esq. SBN 76496  
5 Attorneys for Plaintiff  
6 BETTER HOMES REALTY, INC.

7 Dated: December 20, 2007

KRIEG, KELLER, et al.

8 By: /s/\_\_\_\_\_  
9 Kenneth E. Keller, Esq. SBN 71450  
10 Attorneys for Defendants  
11 LAWRENCE VECCHIO and  
12 VRI REALTY, INC.

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14  
15 Dated: 12/21/07

16 Hon. \_\_\_\_\_  
17 United States

